

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

**INFORMAL SESSION
February 20, 2007**

The Board of Directors of the Flood Control District of Maricopa County, Arizona, convened in Informal Session at 10:00 a.m. February 20, 2007, in the Board of Supervisors' Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Fulton Brock, Chairman, District 1; Andrew Kunasek, Vice Chairman, District 3, Don Stapley, District 1, Max W. Wilson, District 4, and Mary Rose Wilcox, District 5. Absent: Don Stapley, Chairman, District 2. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Manager; Victoria Mangiapane, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain

EXECUTIVE SESSION CALLED

Pursuant to A.R.S. §38-431.03, et.al., motion was made by Director Stapley, seconded by Director Wilson, and unanimously carried (5-0) to recess into executive session, in the Tom Sullivan Conference Room, 301 West Jefferson, for the purpose of reviewing matters on the February 20, 2007, Executive Session agenda, listed below, pursuant to the listed statutory references. All members remained in session when the meeting reconvened at 12:30 p.m. (Note: The vote was taken at the end of the Informal Meeting when Supervisor Kunasek was present.)

LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION; SETTLEMENT DISCUSSIONS CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION – ARS §38-431.03(A)(3) AND (A)(4)

Dreiseszun v. Vulcan Materials Company, et al., CV2002-014968

Timothy Phillips, Chief Engineer and General Manager, Flood Control District
Roberta Livesay, Special Counsel
Julie Lemmon, General Counsel
John Paulsen, Deputy County Attorney
Joy Rich, Assistant County Manager
Kenny Harris, County Engineer and Public Works Director, **did not attend**
Joe Tram, Flood Control District, Regulatory Division, **did not attend**

Gadsden School District et al., v. Winkleman, CV2004-020078; Mark Winkleman and the Arizona State Land Department v. Flood Control District and Alberto R. Gonzales, CV2006-016478

Timothy Phillips, Chief Engineer and General Manager, Flood Control District
Julie Lemmon, General Counsel
John Paulsen, Deputy County Attorney
Richard Hood, Gust Rosenfeld
Joy Rich, Assistant County Manager
Kenny Harris, County Engineer and Public Works Director, **did not attend**
Mike Wilson, Public Works Lands Division, **did not attend**

White Tanks Dam #3

Timothy Phillips, Chief Engineer and General Manager, Flood Control District
Julie Lemmon, General Counsel
Jean Rice, Deputy County Attorney
Stephen Anthony, Sacks Tierney, **did not attend**
Joy Rich, Assistant County Manager
Kenny Harris, County Engineer and Public Works Director, **did not attend**

Wickenburg Landscaping Claim

Timothy Phillips, Chief Engineer and General Manager, Flood Control District

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Diana Stuart, Environmental Program Manager, Flood Control District, **did not attend**
Ken Proksa, Public Works Director
Jim Baker, Public Works Procurement Branch Manager, **did not attend**
Julie Lemmon, General Counsel, Flood Control District
John Paulsen, Deputy County Attorney
Joy Rich, Assistant County Manager

MEETING ADJOURNED

Following discussion on the above items and there being no further business to come before the Board, the meeting was adjourned.

Fulton Brock, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board